

## Town Council Meeting: 14 March 2011



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

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### MINUTES

**Call to Order:** Mayor Keller called the meeting to order at 7:35 PM. Present were Councilmembers Irons, Mandel, Petito, Schulp, and Wegner. Also present was Administrator Pratt, Barbara Collier of the *Bugle*, and a number of Town residents.

**Approval of Agenda:** Agenda was approved as posted without objection.

**Presentation by Residents:**

- Parks & Open Space Committee – A memo was distributed, requesting the Council add funding for new playground equipment in Wells Park, to be funded through Program Open Space (POS). As the Town has approximately \$12,000 remaining in its POS account, this would require a \$36,000 appropriation, with the Town's total out-of-pocket expenditure becoming \$24,000 when the POS reimbursement was received. Ida Sullivan, chair of the committee, addressed the Council, noting that the request was not in keeping with the existing committee guidelines or mission statement, and that she would like the committee to research the matter further. Resident Chuck Berry addressed the Council, stating that the memo represents the will of a majority of the committee and is a top priority. Mr. Berry also stated that the committee would like to rename the Town tennis court as the Cambria Tennis Court, to avoid confusion with the Garrett-Waverly Park courts. Mayor Keller noted that Wells Park is a Montgomery County park, not a Town park, and that before any Town expenditure was contemplated the Town should approach the County Parks Department to see if the County had plans to replace the playground equipment in the near future. Councilmember Mandel noted that the committee should focus on the needs of Town parks before proposing expenditures in County parks. Mayor Keller thanked the committee for its work.
- Archives Committee – Marion Green commented on a report made to the Council by email. Charlie Snyder, Chair of the Committee, addressed the Council regarding the report, noting the committee's request for \$26,500 in funding from the FY 2012 budget. There was extended discussion. Councilmember Irons noted the need for a more detailed budget.

Councilmember Petito suggested that the committee consider seeking a consultant to advise them on archival matters – preservation and storage, for example. Councilmember Mandel pointed out that the Council's desire for a more detailed work plan should not be seen as a delaying tactic, noting that the development of a more refined proposal was something that a consultant could assist the committee in developing. Mayor Keller thanked the committee for its work.

**Mayor's Report:**

- Mayor Keller reported that the Kenilworth Avenue Willow Oak removal by Pepco was almost completed, with one tree left to remove, noting that the only expense the Town would incur was stump grinding, a savings of many thousands of dollars.
- The Mayor announced that he would be out of Town from the 15<sup>th</sup> through the 27<sup>th</sup> and that Councilmember Wegner had agreed to be Acting Mayor.

**Councilmember's Reports on Areas of Responsibility:**

- Councilmember Irons reported that she and John King have asked the Garrett Park Citizens Association to sponsor a meeting on a land use briefing/update – county and Land Use Task Force recommendations would be illustrated with graphic presentations to better educate residents.
- Councilmember Wegner noted that the Mayor had sent a letter to SHA re failure of the road surface of Strathmore Avenue between Clermont Ave. and Montrose Ave. in the westbound lane. Mayor Keller reported that he had received call from Mr. Ritter, head of the local SHA district, who had promised a full repair, and that a meeting on March 28 to discuss the situation on site, including the deterioration of the brick cross walks at Keswick St. and Kenilworth Ave., the inconsistent functioning of the Keswick crosswalk indicator lights, and the need to relocate the “no right turn on red” signs at the Kenilworth Ave. traffic light. The Mayor noted that the Town is doing its part to maintain the right of way

**Approval of Minutes:**

- 02/14/2011 Regular Council Meeting – Consideration of the February minutes was deferred to the April meeting.

**Action/Discussion:**

- Adoption of Ordinance 2011-01: Revision of Chapter 2 of the GP Code of Ordinances (Elections) – Mayor Keller asked for motion to adopt the ordinance as introduced. Councilmember Schulp **MOVED**  
That ordinance 2011-01 be adopted as introduced.  
Councilmember Petito seconded the motion. Councilmember Mandel raised issue of Section 2 (202)(5)(iii) that had been added to the original ordinance draft by amendment at the February meeting. Mayor Keller pointed out that the language in the section was ambiguous, and in direct

conflict with other sections of the ordinance.

Councilmember Wegner **MOVED**

To amend the motion on the floor by striking Section 2 (202)(5)(iii) of the introduced ordinance. Councilmember Mandel seconded the motion. Mayor Keller asked the Clerk to call the roll. The vote was as follows: Councilmember Irons "Aye", Councilmember Mandel "Aye", Councilmember Petito "Nay", Councilmember Schulp "Nay", Councilmember Wegner "Aye". Mayor Keller declared the motion to amend **PASSED**.

Mayor Keller called for the vote on the motion to adopt ordinance 2011-01, as amended, and asked the Clerk to call the role. The vote was as follows: Councilmember Irons "Aye", Councilmember Mandel "Aye", Councilmember Petito "Aye", Councilmember Schulp "Nay", Councilmember Wegner "Aye". Mayor Keller declared the motion to adopt ordinance 2011-01 as amend **PASSED**. (Ordinance Posted in GP Code on Town website)

- Adoption of Ordinance 2011-02: Addition of definition of term "Business Entity" to Chapter 1, Section 102 of the GP Code of Ordinances (Definitions and Rules of Construction) – Mayor Keller asks to take up this matter out of agenda order. There was no objection. Councilmember Wegner **MOVED**

That ordinance 2011-02 be adopted as introduced.

Councilmember Schulp seconded the motion, which **PASSED** unanimously. (Ordinance Posted in GP Code on Town website)

- Introduction of Ordinance 2011-03: FY 2012 Operating & Capital Budget – Mayor Keller requested motion to introduce the ordinance in order to open discussion. Councilmember Irons **MOVED**

That Ordinance 2011-02 be introduced as distributed.

Councilmember Petito seconded the motion. Mayor Keller reviewed the budget ordinance with the Council, noting that it had been developed by the Council over two work sessions. The Mayor called attention to the revenues projected in the ordinance, noting that FY 2012 would be the 4<sup>th</sup> year of diminished receipts from both the state and the county.

Councilmember Irons noted the need to need to preserve some reserves as the Town moved forward with the Capital Improvement Plan over the next few years. Councilmember Petito, noting the needed capital repairs detailed in the proposed budget and the Capital Improvement Plan, stated that the proposed real property tax rate increase of 1.8 cents to a total of 21 cents per \$100 of assessed valuation was an essential part of sound financial planning, was less than 10%, and represented an increase of \$90 in taxes on a \$500,000 house. Mayor Keller referred to the county circuit breaker program that provided for tax abatements based on a homeowner's financial circumstances, and that the Town was researching a property tax rebate program for Town residents who had qualified for the county program in order to insure that the increased tax rate would

not place an undue burden on them. After discussion, the Mayor called for a vote on the motion, which was **PASSED** unanimously. (Ordinance posted on Town website under budgets)

- Appointment of Judges of Election – Mayor Keller asked that the Council ratify his appointment of Brenda Artim, Margaret Goldsborough, and Cliff Tarpay as Judges of Election for the 2011 and 2012 Town elections, and Natalie Grande Les Henig, and Judy Heyman as alternate Judges. The Council ratified the Mayor's appointments without objection.
- Mayor Keller asked if it was the sense of Council that it was grateful for the work of the Archives Committee, and that the Council would consider increased funding of the Archives account in the FY 2012 budget upon review of specific proposals from the committee. This was agreed to without objection.
- The Council agreed, without objection, to authorize the purchase of a new sign for the Cambria Ave. tennis court.

**Town Administrator Report:**

- Monthly Financial Report - Administrator Pratt reviewed the monthly financial report with the Council.

**Adjournment:** The meeting adjourned at 10:15 p.m.

Respectfully submitted,

[TOWN SEAL]

*Edwin Pratt, Jr.*

Edwin Pratt, Jr., Clerk-Treasurer